

DELEGATE GALLAGHER: Mr. President and ladies and gentlemen, we discussed these changes before dinner tonight. It is the intention of the Committee on the Legislative Branch that the General Assembly shall prepare a code, a specific code of ethics, and at the same time we do not mean to preclude the possibility that it will establish some board or agency to administer this code of ethics. And further, we go on to provide that the General Assembly shall also provide for the regulation of conflicts of interest.

This more closely approximates and is identical to the original intention of the Committee which we debated at some length here. There was a difference of opinion which was resolved by a vote, and I would urge the adoption of this amendment.

THE PRESIDENT: Delegate Gallagher, the Chair has just noted the absence of Delegate James. I have sent a messenger to telephone his office.

Would it be agreeable to you to pass over this amendment for the time being, until we can find him?

DELEGATE GALLAGHER: Yes, sir.

THE PRESIDENT: Delegate Gallagher, you have another amendment, I believe, in section 9.06.

DELEGATE GALLAGHER: Yes, sir.

Delegates Case, Henderson and Sherbow join with me in this amendment.

THE PRESIDENT: Can you state the amendment?

DELEGATE GALLAGHER: Yes, sir, I can.

In the provisions which we have before us, article 9, General Provisions, on page 2, section 9.08 entitled "Corporation Charters," on line 34 after the word "may" insert the words "now or", so that line 34 will read "that may now or hereafter be granted or conferred".

THE PRESIDENT: The Chair is almost certain that the Committee on Style would want to change that around so that it would read "that are now or may hereafter".

Would there be any objection on your part to stating it that way?

DELEGATE GALLAGHER: Mr. Chairman, at this hour I am totally agreeable.

THE PRESIDENT: Delegate Penniman, I do not know that you were following the

proposed amendment. Delegate Gallagher suggests that on page 2 in line 34 after the word "may" that he would like to add the words "now or". I suggested to him that your Committee would probably change that to be "that are now or may be hereafter". Can you direct your attention to this for a moment?

DELEGATE PENNIMAN: I will, yes, indeed.

THE PRESIDENT: Would you prefer that to saying "may now or hereafter"?

DELEGATE PENNIMAN: I could say that I have no preference whatever.

THE PRESIDENT: Delegate Gallagher, would you come to the rescue of the Chair and indicate if you have a preference?

DELEGATE GALLAGHER: Only last night I was using *Fowler's Dictionary of English Usage*, and I think that that would be useful.

THE PRESIDENT: Delegate Gallagher presents an amendment to add after the word "that" the words "are now or". Is there any objection to considering the amendment, notwithstanding the fact that it is not printed?

The Chair hears none.

Delegate Penniman.

DELEGATE PENNIMAN: Mr. President, my Committee has just informed me that I very seldom speak for the Committee, in any case, on this matter. (*Laughter.*)

THE PRESIDENT: Delegate Gallagher, do you desire to speak to the amendment?

DELEGATE GALLAGHER: Mr. President, just briefly: In examining this section, if you will begin with line 31, I think you will see the significance of the addition "and any corporation chartered by this State which shall accept, use, enjoy or in any way avail itself of any rights, privileges, or advantages that are now or hereafter may be granted or conferred by any special act shall be exclusively presumed to have thereby surrendered any exemption from taxation". The purpose of adding these words, should the B&O Railroad avail itself of merging with the Chesapeake & Ohio, that that action shall be construed under this particular clause to be tantamount to the surrender of its exemption.

If we allowed the language to stand as it was, talking about privileges that may hereafter be granted, we may run into